

Application Number 10/731,668
Amendment Date 9/19/2005
Reply to Office action of 06/28/2005

REMARKS / ARGUMENTS

Minor corrections have been made to the specification. Claims 2, 13 and 20 have been amended. Claims 1, 3-12 and 14-19 have been cancelled. Claims 2, 13 and 20 remain in the application.

Reexamination and reconsideration of the application, as amended, are requested.

Claims 2, 13 and 20 have been amended to include the limitation first slot through said first end connected to said first bore and second slot through said second end connected to said second bore. Basis for the limitation is found in the specification on page 9 lines 20-22.

Claims 5, 14 and 20 have been corrected.

Claims 2 and 13 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181) in view of Dobkowski (US Pat. No. 2,539,234).

The claims as amended are believed to be unobvious because the slots being in opposite ends of the c-weight was not taught by either Ender '181 or Dobkowski '234. The claims are believed to be unobvious because the modification as suggested by the office action would change the principle of operation of the Ender '181 reference. It has been held that if the proposed modification of the prior art changes the principle of operation of the prior art being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious, *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). The modification of Ender '181 in the manner suggested would change the principle of operation of the above stated reference in the following way. The Ender '181 reference teaches a lure 14 is fastened to one end of the auxiliary line, and a device, such as a swivel snap 44 is fastened to the other end. The swivel snap has an eye on one end, eye 46 for connection to the auxiliary line 12 and eye 48 for receiving the primary line. The primary line 16 is then threaded, first through passage 40 of arm 30, then through eye 48 of the swivel snap and then through passage 42 of arm 32, Col. 3, lines 60-67. The Ender '181 reference teaches that when a fish strikes auxiliary lure 14, the pull of the fish causes the primary line to release from the weighted ball. As the primary line straightens,

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the attachment device 10 slides to the end of the primary line, as shown in figure 4, Col. 4, lines 47-51. The instant invention claims a treble hook slidably connected to the leader, said treble hook located between said second movement stop and said hook eye loop. This modification of Ender '181 would change the principle of operation of the reference.

Claims 4 and 9 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181) in view of Pettersen (US Pat. No. 4,177,599).

Claims 4 and 9 have been cancelled.

Claim 5 stands rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181) in view of England (US Pat. No. 1,208,936).

Claim 5 has been cancelled.

Claims 7 and 8 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181) in view of Gruel (US Pat. No. 5,950,348).

Claims 7 and 8 have been cancelled.

Claims 10 - 12 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181).

Claims 10 - 12 have been cancelled.

Claim 14 - 15 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181), as modified by Dobkowski (US Pat. No. 2,539,234) and further in view of England (US Pat. No. 1,208,936).

Claims 14-15 have been cancelled.

Claim 16 - 17 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181), as modified by Dobkowski (US Pat. No. 2,539,234) and England (US Pat. No. 1,208,936) and further in view of Gruel (US Pat. No. 5,950,348).

Claims 16 - 17 have been cancelled.

Claim 18 - 19 stand rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181), as modified by Dobkowski (US Pat. No. 2,539,234), England (US Pat. No. 1,208,936) and Gruel (US Pat. No. 5,950,348) and further in view of Pettersen (US Pat. No. 4,177,599).

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Claim 18 - 19 have been cancelled.

Claim 20 stands rejected under 35 USC 103(a), as being unpatentable over Ender (US Pat. No. 4,530,181), as modified by Dobkowski (US Pat. No. 2,539,234), England (US Pat. No. 1,208,936), Gruel (US Pat. No. 5,950,348) and Pettersen (US Pat. No. 4,177,599).

The claims as amended are believed to be unobvious because the slots being in opposite ends of the c-weight was not taught by either Ender '181 or Dobkowski '234. The claims are believed to be unobvious because the modification as suggested by the office action would change the principle of operation of the Ender '181 reference. It has been held that if the proposed modification of the prior art changes the principle of operation of the prior art being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious, *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). The modification of Ender '181 in the manner suggested would change the principle of operation of the above stated reference in the following way. The Ender '181 reference teaches a lure 14 is fastened to one end of the auxiliary line, and a device, such as a swivel snap 44 is fastened to the other end. The swivel snap has an eye on one end, eye 46 for connection to the auxiliary line 12 and eye 48 for receiving the primary line. The primary line 16 is then threaded, first through passage 40 of arm 30, then through eye 48 of the swivel snap and then through passage 42 of arm 32, Col. 3, lines 60-67. The Ender '181 reference teaches that when a fish strikes auxiliary lure 14, the pull of the fish causes the primary line to release from the weighted ball. As the primary line straightens, the attachment device 10 slides to the end of the primary line, as shown in figure 4, Col. 4, lines 47-51. The instant invention claims a treble hook slidably connected to the leader, said treble hook located between said second movement stop and said hook eye loop. This modification of Ender '181 would change the principle of operation of the reference.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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I hereby certify that this correspondence is being transmitted by fax to the United States Patent and Trademark Office on the date shown below.

Anthony Edw. J Campbell



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